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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 ONYX & ROSE, LLC,

16 Case No. 2:20-cv-00008-KJD-DJA

17 Plaintiff,

18 v.

19 T1 Payments LLC,

20 Defendant.

21 **STIPULATION AND [PROPOSED]
22 ORDER TO EXTEND DEADLINE FOR
23 PLAINTIFF TO RESPOND TO
24 DEFENDANT'S MOTION TO DISMISS
25 (Second Request)**

26 Plaintiff Onyx & Rose, LLC (“Onyx & Rose”), and Defendant T1 Payments LLC (T1
27 Payments”) (collectively, the “Parties”), stipulate and agree as follows, under LR IA 6-1, LR IA
28 6-2, and LR 7-1:

1. On January 7, 2020, T1 Payments filed a Motion to Dismiss Count II of Plaintiff
Onyx & Rose’s Complaint, Or, in the Alternative, for Summary Judgment (the “Motion”).

2. The Court Clerk has calendared the deadline for Onyx & Rose to respond to T1
Payments’ Motion as January 21, 2020.

3. The Parties agreed to extend the deadline for Onyx & Rose to respond to the
Motion by fourteen (14) days to February 4, 2020, and on January 16, 2020, the Parties filed a
Stipulation and [Proposed] Order to that Effect.

4. The Parties now agree to extend the deadline for Onyx & Rose to respond to the
Motion by an additional fourteen (14) days to February 18, 2020.

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1 5. Counsel for Onyx & Rose has requested the additional time to continue to analyze
2 T1 Payments' Motion and prepare a response, in light of the fact that this case was recently
3 transferred to this Court from the United States District Court for the Western District of
4 Kentucky, *see* ECF Nos. 12–14, and the undersigned counsel for Onyx & Rose were only
5 retained on January 15, 2020, after Onyx & Rose's diligent effort to retain competent Nevada
6 counsel.

7 6. Counsel for Onyx & Rose is diligently analyzing Onyx & Rose's claims and T1
8 Payments' Motion under Nevada law and has requested the extension to provide ample time to
9 prepare a response to T1 Payments' Motion that best promotes the just, speedy, and inexpensive
10 determination of this action, and counsel for T1 Payments has agreed to the extension.

11 7. This is the second stipulation for an extension of time for Onyx & Rose to respond
12 to T1 Payments' Motion, and the Stipulation is not made for purposes of delay.

13 Dated: January 31, 2020

14 Dated: January 31, 2020

15 **GREENBERG TRAURIG, LLP**

16 **LARSON ZIRZOW KAPLAN & COTTNER**

17 _____
18 /s/ *Kyle A. Ewing*
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18 /s/ *Kory L. Kaplan*
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23 *Counsel for T1 Payments LLC*

24 *Counsel for Onyx & Rose, LLC*

25 **IT IS SO ORDERED.**

26 

27 **UNITED STATES DISTRICT JUDGE**

28 **DATED: February 3, 2020**